

1 AN ACT concerning wildlife.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Endangered Species Protection Act
5 is amended by changing Section 7 and by adding Section 5.6 as
6 follows:

7 (520 ILCS 10/5.6 new)

8 Sec. 5.6. Federal pre-Listing agreements and conference
9 reports. A permit for incidental taking under Section 5.5 shall
10 not be required:

11 (1) on land that is subject to and for activities that are
12 implemented in compliance with a federal Candidate
13 Conservation Agreement or Candidate Conservation Agreement
14 with Assurances approved by the United States Fish and Wildlife
15 Service under Section 10 of the federal Endangered Species Act
16 of 1973; or

17 (2) for covered conservation practices conducted in this
18 State within a federal program under a Conference Report
19 authorized under Section 7 of the federal Endangered Species
20 Act of 1973 on land subject to that program.

21 (520 ILCS 10/7) (from Ch. 8, par. 337)

22 Sec. 7. Any species or subspecies of animal or plant

1 designated as endangered or threatened by the Secretary of the
2 Interior of the United States pursuant to the Endangered
3 Species Act of 1973, P.L. 93-205, as amended, shall be
4 automatically listed as an endangered or threatened species
5 under this Act and thereby placed on the Illinois List by the
6 Board ~~without notice or public hearing.~~ Upon an automatic
7 listing of a federally-listed species, the Board shall
8 immediately publish a notice for an informational hearing in
9 accordance with this Section and conduct said hearing within 14
10 day of the automatic listing. The Board may list, as endangered
11 or threatened, species of animals or plants which have
12 reproduced in or otherwise significantly used, as in migration
13 or overwintering, the area which is now the State of Illinois,
14 if there is scientific evidence that the species qualify as
15 endangered or threatened as these terms are defined in this
16 Act. The Board may delist any non-federally-listed species for
17 which it finds satisfactory scientific evidence that its wild
18 or natural populations are no longer endangered or threatened.
19 Listing, delisting, or change of listing status for any
20 non-federally listed species shall be made only after a public
21 hearing.

22 Notice of such hearing shall be published at least 7 days
23 before the hearing in a newspaper of general circulation
24 throughout the state and shall be mailed to any person who has,
25 in writing requested such notice from the agency holding the
26 hearing. All persons heard or represented at a hearing and all

1 persons who requested from the responsible agency notice of
2 such hearing, shall be given a written summary of any action
3 taken by the Board or Department relative to the hearing
4 subject.

5 Upon listing or delisting or change of listing status by
6 the Board, the Director shall file a certified copy of the
7 names of the species so listed, delisted or changed with the
8 Secretary of State as provided in "The Illinois Administrative
9 Procedure Act", approved September 22, 1975, as amended.

10 (Source: P.A. 84-1065.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.